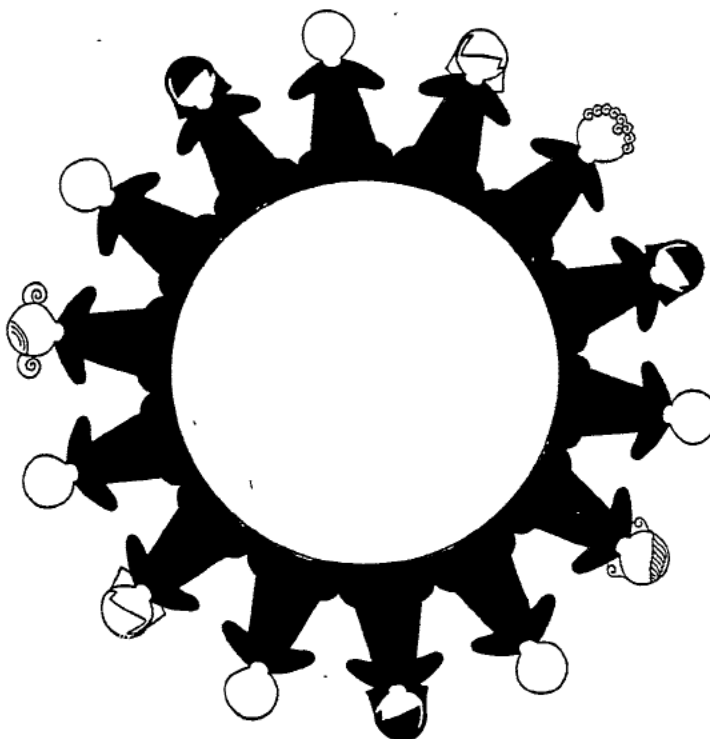


MISSOURI
HOUSE of REPRESENTATIVES

CHILD CARE LICENSING

REPORT TO THE SPEAKER
BY THE SELECT INTERIM COMMITTEE
OF THE CHILDREN, YOUTH AND FAMILIES COMMITTEE
Kaye H. Steinmetz, Chair
1990



Report To The Speaker
By The Select Interim Committee
Of The Children, Youth, and Families Committee
Kaye H. Steinmetz, Chair
On
CHILD CARE LICENSING

1990

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KAYE H. STEINMETZ
DISTRICT 74

January 25, 1991

The Honorable Bob Griffin
State Capitol, Room 308
Jefferson City, Missouri 65101

Dear Mr. Speaker,

Some of Missouri's children are in unsafe and unsanitary child care centers...and unless we take immediate action to improve their quality of care, there is the very real danger that some of them will encounter fatal or serious consequences.

Members of the Select Interim Committee of your Children, Youth, and Families Committee visited many child care centers in Missouri including both licensed and unlicensed centers. For the most part, we were impressed with what we saw and those we met. At the same time, there were instances of concern.

We also held four public hearings across the State and received testimony from social workers, child advocates, parents, and pastors or church members of many religious denominations. All agreed that all children should be in safe and healthy settings.

The work of the Committee has culminated in the preparation of House Bill 186 included within this report.

Our report also includes carefully selected materials and testimonies. Ted Wedel of House Research, Mary Regot of Legislative Research, and Barbara Mertens, my secretary, are largely responsible for its preparation, and I'm grateful for their dedication and hard work throughout the study. I also appreciate the recent help of Kelly Kelly, my student intern from Webster University.

I'm grateful, too, for the participation and assistance of Jerry Simon from the Department of Social Services; Charlie Cecil and Ed Vineyard from the Division of Fire Safety within the Department of Public Safety; and for the help of Bart Tichenor from the Missouri Baptist Convention and Professor Carl Esbeck of the University of Missouri.

Finally, I appreciate the work of committee members. They continue to demonstrate their commitment and concern.

Thank you for the opportunity to serve Missouri's children and youth.

Sincerely,


KAYE H. STEINMETZ
State Representative, District 74

KHS:bm



CHILDREN YOUTH AND FAMILIES COMMITTEE

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State Capitol
Jefferson City, MO 65101
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Rep. Sue Shear
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Secretary

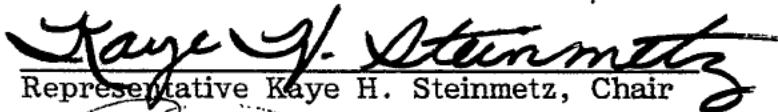
Sharon Busch
Legislative Assistant

January 1991

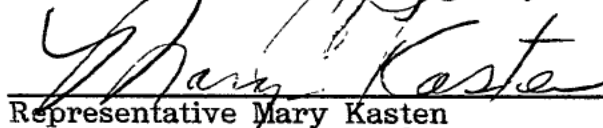
The Honorable Bob Griffin
State Capitol, Room 308
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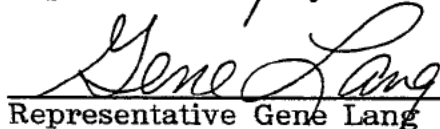
Dear Mr. Speaker,

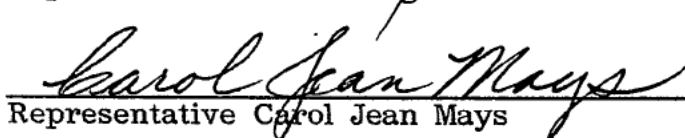
The undersigned members of your Interim Committee on Children, Youth and Families have completed their study on "Child Care Licensing" and submit the attached report.

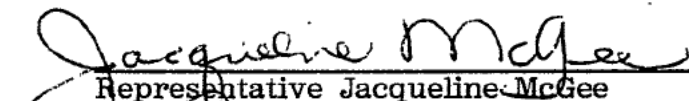

Representative Kaye H. Steinmetz, Chair


Representative Patrick Dougherty


Representative Mary Kasten


Representative Gene Lang


Representative Carol Jean Mays


Representative Jacqueline McGee


Representative S. Sue Shear

MISSOURI HOUSE OF REPRESENTATIVES



EXECUTIVE SUMMARY

Some of Missouri's children are in unsafe and unsanitary child care centers, and these conditions could result in serious or even fatal consequences for those children.

Members of a Select Interim Committee of the Children, Youth, and Families Committee addressed the problems in their study on "Child Care Licensing". They gave particular attention to centers exempt from regulation, and found that most of those providers of care also want all children in safe and healthy settings.

The Committee found that Missouri is one of only three states which have no requirements for religious-sponsored facilities. Because last year's effort to repeal licensing exemptions was unsuccessful, they sought a workable compromise.

A registration process with requirements for health and safety standards, fire standards, and child to staff ratios would bring about the necessary protections, even with continued exemption from full licensure.

Regulations promulgated by the Department of Health would cover the control of contagious diseases, standards for building and physical premises safety, and minimum health and safety training in the unlicensed facilities.

Proper child/adult ratios are necessary for both health and safety precautions, so the workers can provide clean and sanitary care and thereby limit infectious diseases, and can respond to fire or other threatening situations in a timely manner.

To insure compliance with health and safety standards in unlicensed facilities, they should be required to maintain a file with a copy of health and fire inspection reports, as well as a letter which states they meet child to staff ratios consistent with those required of licensed centers.

Such facilities should also be required to annually register with the Division of Family Services, advising the Division that health and safety inspections, fire safety inspections, and child to staff ratios requirements are being met. In addition, those facilities should provide their current address and telephone number, the names and positions of all administrators, and the name, address and telephone number of the affiliated religious organization. Violation of licensing or registration requirements should be a class A misdemeanor.

Exemption from licensure for city, county or state run day care should be repealed. To propose standards only for private care is a contradiction in state policy.

In order to assure the safety and protection of children in licensed family day care homes, a major "error" in the law needs to be corrected. Excluding relatives in the licensing number(s) for home care should only apply to children related to the second degree (i.e., own children, grandchildren, brothers and/or sisters).

Local prosecutors are sometimes reluctant or unable to file charges when there is noncompliance. The Division of Family Services should have the authority to notify the Attorney General if the prosecutor has not filed within 30 days.

Parents are often times the best judge of the quality of a child care facility, and their access to child care programs is an essential safeguard for children in out-of-home care. Such access also helps to create

continuity between a child's home and the child care setting. Missouri, however, is one of 19 states without a formal policy. The law should allow parents to have unqualified and unrestricted visitation rights.

Parental notification, as to whether a facility is licensed or regulated will also "protect the consumer." Such notification would show compliance with minimum standards and ratios.

Small licensing fees, set aside for specific purposes, can be used to enhance the licensing procedures.

"It is in everyone's best interest to assure adequate care for children in out-of-home placements, because the quality of care determines whether a child's daily experiences will be positive and whether he or she will be happy, interested and learning. It will have long lasting effects on his or her future development. Children in poor quality care are less likely to develop strong cognitive and social skills or be prepared for school. Inadequate care can increase problems in school and the work place, and result in reduced self-sufficiency in adulthood."*

The state has a responsibility to protect those who cannot protect themselves, but it does not always do so. Passage of House Bill 186 will result in better health and safety for all Missouri children in child care.

* Excerpt from Who Knows How Safe? by Gina Adams, Children's Defense Fund.

INTRODUCTION

In August of 1990, Speaker Bob Griffin appointed a Select Interim Committee of the Children, Youth, and Families Committee to study Fatal Child Abuse. Members included: Kaye H. Steinmetz, Chair, Patrick Dougherty, Mary Kasten, Gene Lang, Carol Jean Mays, Jacqueline McGee and Sue Shear.

An organizational/informational meeting was held on Wednesday, September 19, 1990. Public hearings were held on October 2nd at the St. Jude Day Care Center, in St. Louis; October 9th at the Northland Cathedral Child Care, in Kansas City; October 16th at the Grant Avenue Day Care, in Springfield; and October 30th at the Trinity Lutheran Church Day Care in Columbia.

Members were impressed with the sincere and dedicated efforts of the many providers of care in the many facilities they visited. They marveled at the hundreds of "happy children" they met or observed, and felt smiles and laughter are the best measures of quality care. Even so, they noted some dangers and some health hazards within some centers, and they saw the potential for even more.

In order for all Missouri children to be assured of safe and healthy care, there is a need to require compliance with health and safety standards (including child/adult ratios), even in unlicensed religious-sponsored settings. Certain additional protections in the licensing law are also needed.

Passage of House Bill 186 will bring about these needed changes and result in significant enhancements in the quality of care.

Informational materials, selected testimonies, and Committee findings are provided within this report.

SELECTED TESTIMONIES

"Day care licensing is a consumer protection type of process."

"Unsafe care is not a good buy at any amount."

Dr. Peggy Pearl
Southwest Missouri State University

"Many of the children who come into residential treatment come from families where day care is a major problem."

Dick Babcock
Babcock & Assc. Consulting Firm

"I realize that there is a tension between the state and the church."

Peggy Reed
Evangel College

"State has been very supportive and helpful."

Janice Sartain
Grant Avenue Day Care

"We sometimes do regulate our dog kennels better than we regulate our child care facilities"

"Parents should have access to the day care facility unannounced during working hours."

Sara Barwinski
Lutheran Family & Children's Services

"This is not a field where one will make a lot of money. We have people who really love children."

Joyce Swanson
Hilltop Day Care Center

"I fully support everything you are trying to do."

"None of the child care workers go into this business of working with children knowing that pay was going to be our priority. Top priorities are the care, the quality, and the love that the children are getting."

Kim Wade
Private Citizen

"All of Missouri's children are entitled to a comparable level of health and safety standards."

Marty Oberman
Jewish Community Centers Assn.

"Missouri law excludes relative children in the licensing number."

Cece Luecking
Child Day Care Assn. of St. Louis

"The statute that was written in 1955 does not reflect what families and children need today."

Corrine Patton
Division of Family Services

"Missouri is one of five states with no pre-service training requirements for child care teachers. Compare the training requirements for other occupations which do not involve resources as valuable as our children."

"Missouri requires 1500 hours of training for a cosmetology license. St. Louis City requires 40 hours of training for a massage therapy license. Is our physical appearance really more important than our children? Of course not."

Nanci Bobrow
Citizens For Missouri's Children

"Exemptions for religious child care centers put children at risk."

Lynn Lyss
Missouri Jewish Federations

"Training provides general growth for workers. As long as providers are able to choose the type of training to suit their child care providers, it will allow them to gain in skills or gain in child development information; or, in fact, maybe even gain spiritually for those people who are working in religious day care centers."

Julie Assata
Guardian Angel Settlement Assn.

"It is important to have a warm environment for our staff. It is also important to make them feel important."

Patrice Smith
Tiny Tot School of St. Louis

"Poor quality care harms the development of children."

"There are not enough good--or even bad--places to put all the children."

Carol Wofsey
Junior League of St. Louis

"What you are doing is extremely applaudable. I am also quite concerned, though, by the number of people who are not here today who have been operating church-related child care centers which are not licensed in this State, and who are doing an outstanding job."

"Those who are taking care of our children must know what they are doing and they must receive the best ongoing, hands-on training they can get."

"Every facility has a maximum number of children that they can sustain. It also has to do with more than just the interior of the facility. It also has to do with the green space. We live in the Midwest, an area in which being outside and among trees and grass are all part of being raised in this society."

Fr. Donald Perschall
Church of the Ascension

"When the State imposes a sliding fee scale on users of subsidized day care, it victimizes the poor."

Lula Stallings
St. Martin's Child Center

"There is another alternative (to licensing or nothing at all) and it is to set up some sort of certification process for health and safety standards, including ratios."

W. Bart Tichenor
Missouri Baptist Convention

"We can provide a quality child care program that is in a spiritual context."

"Balance is the word."

Rev. Bob Johnson
Grandview Assembly of God Church

"We are philosophical and pragmatically committed to enhancing the quality of child care provided to children in the state of Missouri."

Eva Martin Blythe
YWCA of Kansas City

COMMITTEE SITE VISITS TO MISSOURI CHILD CARE CENTERS

The Committee visited several licensed and unlicensed church-sponsored facilities. They were impressed with the sincere and dedicated efforts of the many providers of care in the many facilities they visited. They marveled at the hundreds of "happy children" they met or observed, and could see that smiles and laughter are the best measures of quality care. Even so, they noted some dangers and some health hazards within some centers, and they saw the potential for even more.

Visits included the following:

Child Development Center (1st Baptist Church)--Columbia
Church of the Ascension Child Care Center (American
Episcopal)--Webster Groves
Evangel College Day Care--Springfield
Grant Avenue Day Care (Grant Avenue Baptist)--Springfield
Hilltop Day Care Center (Lutheran)--St. Louis
KCMC (Goppert) Child Development Center--Kansas City
Northland Cathedral Child Care (1st Assembly of God)--Kansas
City
Paseo Baptist Church Day Care (Paseo Baptist Church) Kansas
City
St. Jude's Day Care Center (St. Jude's Catholic Church)--St.
Louis
Shepard Child Care (Baptist Temple Church)--Springfield
Tiny Tots Day Care (1st Assembly of God)--Columbia
Trinity Lutheran Child Care (Trinity Lutheran
Church)--Columbia
YWCA Deramus Branch Day Care--Kansas City

STATUS OF CHILD CARE IN MISSOURI

Missouri is one of only three states that fully exempt from regulation all child-care centers run by religious institutions. The Children's Defense Fund (CDF), a national child advocacy group, has said, "far too many American children are in facilities that are not required to meet even minimal health and safety requirements." Missouri is a case in point.

Thirty seven states regulate all child-care facilities run by religious groups. Ten other states, including Illinois, at least partially regulate church-based centers. Only Missouri, Florida and Alabama impose no regulation.

Missouri is one of the 29 states in which parents do not have an unqualified right to visit their child's child care facility without prior arrangement. According to the CDF, this denies parents, "the most meaningful opportunity to detect potential threats to their child's health and safety, or to monitor the quality of care their child receives."

While there are estimates, the most shocking fact of all is that no one really knows how many children are in unsafe and unsanitary settings since nothing requires approval or registration within this state.

Some estimates of the number of unlicensed facilities have placed that number at 1000, and the number of children in those unlicensed centers as high as 72,000.

FEDERAL CHILD CARE LAW

The new child care law recently passed by Congress provides \$2.7 billion in grant money to be shared by the 50 states. Only facilities, however, which meet health, safety and immunization standards, and assure unlimited parental access at any time are eligible to participate. Relatives caring for related children are exempt from these requirements.

The law allows religious facilities to receive these federal funds, but only if they also comply with health and safety standards. These include prevention and control of infectious disease (including immunizations), safety provisions for buildings, and health and safety training for providers.

States must offer consumer education to parents to help them select child care, establish parental complaint procedures, and maintain records of substantiated complaints.

The federal money can be distributed in several ways. One way is through vouchers which parents can use to pay for child care at the center of their choosing, while another is through grants or contracts made directly to providers of care. These grants or contracts would also have to be awarded to facilities meeting state health and safety standards.

It is estimated that Missouri will receive about \$47 million in block grant monies over the next three years. Seventy-five percent of this money must be spent to help families pay for child care, for activities to increase the supply of child care, or for improvements in the quality of care. The law does not require Missouri to apportion funds between direct services and other activities in any particular way.

RECOMMENDATIONS

* Unlicensed religious child care facilities must meet health and safety standards, fire standards, and child to staff ratios. The existing exemption from licensing would continue.

* The Department of Health would promulgate regulations for the prevention and control of contagious diseases, standards for building and physical premises safety, and minimum health and safety training in unlicensed religious child care facilities.

* To comply, the unlicensed religious facilities would keep on file a copy of health and fire inspection reports and a letter which states the facility meets child to staff ratios consistent with rules and regulations for licensed centers. In addition, such facilities would register with the Division of Family Services, advising the Division that health and safety inspections, fire safety inspection, and compliance with child to staff ratios are being met.

* There shall be no interference by the Division of Family Services or the Department of Health with the program, curriculum, ministry, teaching or instruction offered by a child care center operated by a religious facility.

* Violation of licensing or registration requirements would be a class A misdemeanor.

* The exemption from licensing for city, county or state run day care would be repealed.

* Parents shall have access to all child care facilities during normal hours of operation.

* Parents shall be notified if their child is in a registered, but unlicensed facility.

* Licensed facilities shall pay a licensing fee not to exceed two dollars times the maximum number of children that can be cared for in the facility. The funds will be used to enhance the licensing procedures.

* Excluding relatives in the licensing numbers(s) for home care should only apply to children related to the second degree (i.e., own children, grandchildren, brothers and/or sisters).

* The Division of Family Services may refer cases of noncompliance to a local prosecuting attorney for appropriate action. When the prosecutor does not take action, the Division of Family Services may refer such cases to the State Attorney General.

* The Division of Family Service shall keep a record of signed parental complaints against a child care facility.

APPENDICES

Who Knows How Safe?

The Status of State Efforts
to Ensure Quality Child Care

by Gina C. Adams

September 1990



Children's Defense Fund
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EXECUTIVE SUMMARY

Today, more than 6 million children, and more than 2 million children younger than three, will spend part or all of their day in out-of-home child care. Making sure that these children are safe and nurtured is as basic a concern to their parents as assuring that school-age children are able to attend safe, high quality schools. The quality of care these children receive will either build or undermine their future learning and achievement.

Parents recognize the importance of quality child care: 97 percent of American parents surveyed in a 1989 Harris poll cited "quality" as their top priority in child care. At first glance, nearly every state appears to have a system that responds to these concerns about quality. But a closer look reveals that states do not provide even minimal protections for nearly half of all children who are cared for outside their homes. In addition, because the protections that apply to regulated child care programs frequently are so weak, and states' capacity to assure compliance so inadequate, parents cannot rely upon the mere existence of standards to protect their children.

Many of the gaps in current state regulatory policies reflect inexcusable failures to protect the health and safety of children in child care. Yet in many states child care funding shortages are so great that agency after agency is unable to develop, implement, and monitor or enforce policies to promote good quality child care. States' funding shortages also leave them unable to assist the many families who would be unable to afford the cost of care if it were improved and upgraded.

Key Findings

An estimated 2.6 million children--43 percent of all children in out-of-home child care--are unprotected by state regulation in large part because the settings in which they are cared for are exempt from even minimal health and safety standards.

- o Although states typically regulate programs that receive public funds, there are enormous gaps in regulation of programs serving children whose care is not subsidized by state or federal funds. These programs often are not subject to any state regulation, and therefore are not required to meet even basic health and safety requirements.
- o A majority of children in family day care homes (child care programs operated out of a provider's home) are cared for in homes serving relatively small numbers of children. Yet most states only regulate homes serving large numbers of children. A total of 22 states exempt family day care homes serving five or fewer unrelated children from regulation

under a mandatory system that includes inspections. Thirty-six states exempt programs serving three or fewer children.

- o CDF's review of state regulation of family day care reinforces estimates that nearly three-fourths of all children cared for in family day care homes are in programs that are not licensed or registered and therefore are not required to comply even with basic health and safety standards. This is all the more alarming because infants and toddlers, the most vulnerable of young children, are more often cared for in family day care homes than in other child care settings.
- o Many child care centers and preschool programs also operate without any state requirement that they meet minimal standards of safety and quality. Although about one-third of all child care centers are operated by religious institutions, 13 states fully or partially exempt such child care programs. In addition, 29 states fully or partially exempt child care programs operated by the public schools from regulation by the state child care licensing agency. These types of exemptions leave an estimated one in six children in child care centers unprotected by state licensing requirements.

Those standards that do apply to regulated child care programs often fall below levels broadly recognized as necessary to ensure young children's health, safety, and full development.

- o Although a measles epidemic is sweeping the country and is especially prevalent among preschool age children, 13 states do not require children in licensed/registered family day care homes to be immunized against measles or other preventable childhood diseases such as polio, rubella, DPT and mumps.
- o Parents in 29 states do not have the unqualified right to visit their child's family day care home unannounced, thus denying parents the opportunity to detect potential threats to their child's health and safety or to monitor the quality of care their child receives.
- o To ensure a child's safety and to promote emotional and intellectual development, child development experts recommend that a single caregiver care for no more than three or four infants. However, 19 states allow child care centers to operate with five or more infants per adult, and 13 states allow a single family day care provider to care for five or more infants and toddlers. In Idaho, a single caregiver can care for as many as 12 infants in a child care center. These inadequate protections leave children only a step away from a disastrous accident.

- o Experts agree that children's development is hindered when they are cared for in large groups. Yet nearly half (22) of the states have no group size limits whatsoever.
- o Extensive research has documented the importance of staff training to the quality of child care provided. Yet 35 states require no training whatsoever for staff in family day care homes, and 32 states do not require specific levels of formal training before teachers are hired in child care centers.

Many states lack sufficient resources to monitor and enforce the requirements that they currently impose on regulated child care programs.

- o Licensing officials in 18 states report that they find it difficult, and in many cases impossible, to protect children in child care adequately because they lack the enforcement staff. These findings reinforce recent survey results from the U.S. Department of Health and Human Services which document that caseloads for state licensing inspectors far exceed recommended levels.
- o Most states report that they respond to all complaints regarding the quality of regulated child care programs. However, eight states acknowledge that they are unable to respond to all complaints. As a result, programs that are suspected of failing to comply with state regulations continue to operate without intervention by the state.

Few states have established meaningful incentives or other voluntary initiatives to enhance the quality of care that children receive.

- o Although low salaries for child care providers cause high turnover and contribute to a crisis in the quality and supply of child care, 35 states made no attempt to improve child care salaries in 1989.
- o Twenty-two states either made no effort whatsoever to help child care providers obtain training or offered only very limited and/or unspecified forms of assistance to enhance the knowledge and skills of providers.

What Must Be Done

America's working families with young children cannot wait another year for this nation to do what most other industrialized nations already have done. States, child care providers, businesses, and the federal government all must act to protect children and improve the quality of child care.

Landmark legislation now pending before Congress would give families and states both the framework and the resources they need to ensure quality child care for American children. This vital legislation would:

- o provide \$1.75 billion in 1991 to help parents and states meet the cost of child care and enhance the quality of child care programs, including funds to help states improve monitoring and enforcement of standards and raise salaries and provide training for child care staff;

- o offer parents choice among a full range of high quality providers, including child care programs operated by religious institutions;

- o ensure that states develop standards in categories that are crucial to the full and healthy development of children in child care (such as manageable group sizes, adequate caregiver training, and required immunizations to prevent disease) while building upon their own knowledge and expertise; and

- o expand tax credits available to low-income working families, including families in which one parent chooses to remain at home with the children.

Parents, too, would be given new tools to help them wisely select and closely monitor the care of their children. For example, this new law would guarantee parents the unqualified right to visit unannounced their child's child care program. The bill also would assure parents the opportunity to choose the type of child care they prefer.

With additional federal help and greater investments of their own resources, states could and should do a better job to protect children in out-of-home child care. Sweeping exemptions that permit child care programs to avoid compliance with even minimal health and safety standards should be eliminated. Licensing standards should be strengthened, incorporating the protections needed to ensure good quality child care. To keep these protections in force, monitoring and enforcement efforts also should be bolstered to detect potential threats to children's health and safety and promote compliance with state requirements.

States should supplement these basic protections for children with voluntary programs and incentives to stimulate quality improvements by child care providers. Initiatives to improve caregiver compensation and benefits and provide accessible and appropriate training for providers are essential to improve the stability and quality of the child care work force. Realistic reimbursement rates for child care subsidized by the state is a prerequisite for any effort to enhance the quality of child care programs. Targeted grant and loan programs also can serve as important incentives for quality improvements,

giving child care providers access to the resources they need to expand training opportunities, reduce staff turnover by raising salaries, or repair and enhance their facilities. Finally, states should work to educate parents and providers about the components of good quality child care so that they can be more effective in protecting and promoting children's full and healthy development.

The State of Child Care- 1990

1. In 1988, less than 1 in 4 families with children matched the stereotype of the traditional family in which the father is employed and the mother stays home to care for the children. (Children's Defense Fund, 1990)
2. About 57% of children under 13 have mothers who work outside the home. By the year 2000, about 80% of school-age children and 70% of preschool children will have mothers in the work force. (Herald-Leader, Lexington, Kentucky, 1990)
3. 66% of mothers 18-44 years old work outside the home, including 51% of those with children less than 1 year old. (Newsweek, 1988)
4. More than 2 of 3 employed mothers with children younger than 3 work full-time, as do more than 3 of 4 employed single mothers with children in that age group. (CDF, 1990)
5. In 1988, 10.2 million children younger than 6 (51% of that age group) had employed mothers. They were cared for in a variety of ways: 22% in family day care; 23% in day care centers or preschool centers; 6% at home; and 48% with relatives. (CDF, 1990)
6. By conservative estimates, there are 7 million children ages 13 and under who care for themselves for at least part of every day while their parents work. (National Committee on Working Women, 1987)
7. By 1990, the number of children under 10 will reach 38 million, yet the United States is one of the few industrialized countries that does not have a comprehensive national day care policy. (Newsweek, 1984)
8. In a 1986 survey, 230 public housing projects around the country with on-site child care centers reported combined waiting lists totaling 96,000 children. (CDF, 1988)
9. In 1986, only 3000 of the nation's 6 million employers provided any help to meet their employees' child care needs. (CDF, 1988)
10. It costs an average of nearly \$3,500 a year to provide full-time care for a single child--half of the entire median income for a single mother with young children and nearly half of the earnings of a full-time worker employed year round at the minimum wage. (CDF, 1990)
11. Studies in Colorado indicate that AFDC families using day care received AFDC assistance an average of 14.8 months while families without day care stayed in the program an average of 38.1 months. (Children's Budget Coalition, 1987)
12. A recent nationwide survey of 400 men and women with children under 12 found problems with child care the most significant predictor of absenteeism and unproductive time at work. (Kahn & Kamerman, 1987)

13. Since FY 1977, when the Title XX program served only 12% of the 3.3 million poor children younger than 6, inflation-adjusted funding for the program has plunged by more than 1/2 while the number of poor preschool children has soared to almost 5 million. (CDF, 1990)
14. 2/3 of working women are the sole provider for the household or are married to men earning less than \$15,000 a year. (Direct Selling Education Foundation, 1988)
15. 97% of parents cite "quality" as their top priority in child care; 74% say it is difficult to obtain care that is both affordable and of good quality. (CDF, 1990)
16. More than 90% of day care homes operate outside any regulatory system. Although 44 states have regulations on licensing, certifying, or registering homes, the majority of home providers do not comply with these regulations. (Young Children, 1988)
17. 31 states do not establish any maximum group size for preschoolers. (CDF, 1988)
18. 22 states permit 1 staff member without an assistant to care for 5 or more babies in a center; at least 10 states permit this situation with family child care providers. (CDF, 1990)
19. 33 states have lowered standards for Title XX funded child care programs; 32 states have cut back on the number of state child care staff who monitor and implement child care policies and regulations. (House Committee on Children, Youth and Families, 1987)
20. As a group, child care workers are paid less than bartenders, janitors, messengers, and file clerks. (Kansas City Times, August 1986)
21. During the past decade the annual turnover of child care staff nearly tripled from 15% to 41%. The low wages paid to child care providers are a major cause of turnover. Staff earning \$4 per hour or less had turnover rates twice as great as staff paid at least \$6 per hour. Inflation-adjusted wages for child care teachers declined by more than 1/5. (CDF, 1990)
22. In FY 1989, 452,000 children (approximately 1 in 5 of those eligible) participated in Head Start programs. 54% of all Head Start families are single-parent families. (CDF, 1990)
23. Children in Head Start obtain a markedly higher level of health care than children not in the program, have fewer absences from school, and perform better on physical tests. (CDF, 1987)
24. Participants in Head Start and similar programs are less likely than other disadvantaged preschoolers to later become teenage parents or welfare recipients and more likely to complete high school, enroll in college or vocational training, and enter the world of work. (CDF, 1987)
25. 88% of all respondents on a Louis Harris national poll said they wanted government to provide more day care services for low-income children. 73% said they would accept a tax increase for this purpose. (Inside America, Harris, 1987)

Kathy R. Thornburg
September 1990

QUALITY CHILD CARE

STABILITY - Quality day care meets the needs of the family and their child for a fairly long period of time and with few staff changes. Research has found that low staff turnover has a positive effect on children due to strong caregiver-child bonding, which actually fosters intellectual and social growth.

SMALL GROUPS - Children need individual care and attention. This necessitates limiting the total number of children in a classroom to a manageable group and providing an adequate number of teachers to meet the children's needs. Recommended numbers: Infant - 1:3; Toddler - 1:6 (limit group size to 12); 4's and 5's - 1:10 (limit group size to 20). In family child care, the size and age range should also be controlled.

CAREGIVER CHARACTERISTICS - Caregivers need to be people who are actively involved with the children. They foster creativity, encourage independence, respond to questions and try to guide behavior -- not control it. They engage in ongoing inservice opportunities and have a combination of education in the field of Child Development or Early Childhood and/or experience in working with groups of young children. Adults should be responsive to the child's individuality; provide many opportunities for communication; facilitate success for each child; facilitate positive self esteem and self control; be in constant supervision of the children and plan for the changing needs of each child.

ENVIRONMENT - The day care environment provides plenty of space indoors and out; is arranged to enhance learning in small groups, large groups, and individual learning; provides space to allow for a variety of activities; is stocked with developmentally appropriate materials both indoors and outdoors; and is staffed with warm and supportive personnel.

HEALTH AND SAFETY - Children should be under adult supervision at all times. The room should be maintained in a clean and orderly fashion. Toileting, diapering and handwashing should be completed using sanitary techniques. Equipment should be in safe and clean condition and in good repair. All teachers and children must be free of infectious disease and current on immunizations. All centers and homes must be inspected for fire safety regulations and health inspections.

CURRICULUM - Quality child care provides for all areas of a child's development: cognitive, physical, social and emotional. Curriculum should meet the developmentally progressing needs and interests of the child. Children should be allowed to learn in a prepared environment emphasizing active exploration of materials and interactions with others. The curriculum should grow and change as the child masters skills and develops new interests. The curriculum should be balanced with periods of quiet and active play -- indoor and outdoor play.

REFERENCES

Bredekamp, Sue. (ed.) *Developmentally Appropriate Practice*. Washington, DC: NAEYC, 1987.

Maynard, R., Kisker, E.E., Kerachsky, S., *The Minority Female Single Parent Demonstration: Child Care Challenges for Low- Income Families*. New York: The Rockefeller Foundation, 1990.

Missouri Department of Elementary and Secondary Education. "Standards and Procedures for Voluntary Accreditation of Early Childhood Education Programs in Missouri." Jefferson City, MO., 1989.

National Academy of Early Childhood Programs. "Guide to Accreditation." Washington, DC., 1985.

Phillips, Deborah A. (1987) *Quality in Child Care: What Does Research Tell Us?* Washington, DC.: NAEYC.

CHILD CARE SAFETY COALITION: MYTHS VS. FACTS

- MYTH:** Missouri's children are safe and protected within the day care center setting.
- FACT:** An estimated 72,000 children attend unlicensed facilities; over 53% sponsored by churches. Missouri has no statewide uniform standards for child care safety.
- MYTH:** Once a church sponsored day care becomes regulated, the state will attempt to control other facets of the church.
- FACT:** Only 3 states totally exempt church-operated child care centers from state regulation. There is no evidence of state regulations being imposed on any part of a church's operation. In addition, approximately 84 church centers in Missouri have chosen to be licensed and report no interference with their church based curriculum, Sunday Schools, etc.
- MYTH:** Parents are informed consumers when it comes to purchasing child care.
- FACT:** The majority of parents cite quality as their first priority in choosing child care, although they often choose child care that is affordable and convenient.
- MYTH:** All centers must maintain a safe ratio of teachers to children.
- FACT:** Unless a child care center is licensed, there is no means to monitor how many children are cared for in a group.
- MYTH:** Day care licensing does not insure a safe environment for children, as can be proven by the number of abuse cases nationwide in state licensed day care centers.
- FACT:** Nationally, less than 2% of all reported child abuse cases occur within a child care, babysitting, or school environment. Day care licensing does help to insure a clean, safe and healthy environment for children.
- MYTH:** Child care licensing requires certain kinds of teaching materials and curriculum which would limit the religious instruction in church run day care centers.
- FACT:** In the 1990 legislative session, HB 1371 specified that the state NOT intervene in the development of a center's curriculum. Consequently, no limitations could have been placed on the teachings of the church. (The bill was defeated.)
- MYTH:** Church run day care centers provide a ministry to their congregation rather than a service to the public; the separation of church and state should be respected.
- FACT:** Less than 2% of churches care exclusively for children whose parents are members of the church.
- MYTH:** Parents have unqualified access to their children while in day care centers or family day care homes.
- FACT:** Missouri is one of 26 states where no policy exists guaranteeing parental visiting rights.

State Actions:

Thirty-two states provide or are planning to provide some form of child care assistance for state employees.

Twenty-six states are currently providing, planning or piloting day care centers for state employees.

Illinois, Wisconsin and California require that child care space be provided in new or remodeled state buildings.

Eleven states authorize the use of space in state buildings for child care centers.

Connecticut and Louisiana provide start-up funds for child care centers for state employees.

Connecticut, Oregon and Rhode Island offer tax breaks to businesses that offer day care assistance to employees.

Texas offers technical assistance to businesses to help them offer child care as an employee benefit.

Vermont offers incentives to local governments, schools, community groups and businesses to work together to offer services for young children with working parents.

Kansas' Legislature recently passed a program called KanWork, which will require all AFDC recipients with children over age three to work, while providing participants with day care, transportation expenses and health care coverage.

Arkansas recently established a child care providers training fund. Maine allocated \$3.5 million for a program that will include training for child care professionals.

Arkansas, Connecticut, North Dakota and Rhode Island have programs to train in-home day care providers.

Connecticut, Minnesota, Florida, Illinois, Washington and Wisconsin offer child care assistance to aid welfare recipients in finding and holding jobs so they can get off public assistance.

Governor McWhorter of Tennessee signed a bill in April allowing public school systems to operate day care centers before and after classes.

Legislation in Kansas authorizing the state to exclude child care costs from employees' wages, thus reducing the federal income tax paid by the workers, takes effect in July. Illinois, New Jersey, Oregon and Washington also offer income reduction for child care expenses for state employees.

Connecticut has on-site day care for statehouse employees, legislators and people attending public hearings.

Arizona, Maryland, Ohio, Washington and Wisconsin have day care for legislative employees.

California operates ten child care sites and includes child care in its employee benefit plan.

New York offers child care to legislative and other state employees on a sliding fee basis through contracts with local providers in 31 sites across the state.

Connecticut has special bond funding for state agencies and municipalities to build or establish child care centers.

Background:

- A) In 1977, 41 percent of mothers with preschoolers⁵ were in the work force; recent statistics show that number to have increased to 57 percent. The most rapidly growing segment of working mothers is that group with children under age 3. For school-age children, the percentage with working mothers has grown from 58 percent to 72 percent. And the numbers are projected to continue climbing.
- B) 10.5 million children under six years old have mothers who work full or part time.
- C) 40,000 licensed day care centers and 105,000 licensed day care homes care for 2.1 million children -- one-fourth of the children who need day care.
- D) Approximately 10 percent of U.S. employers provide specific benefits or services to help workers arrange for child care. Fifty percent have work practices such as flexible hours or leave policies, job-sharing and voluntary part-time arrangements. Only 2 percent sponsor day care centers for workers' children, and only 3 percent provide financial assistance specifically for child care.
- E) Child care workers are among the lowest 10 percent of all wage earners in the United States. Staff turnover is very high.
- F) Day care typically consumes 10 to 20 percent of a family's income.
- G) U.S. companies lose \$3 billion annually when child care arrangements break down and mothers stay home. Fifty percent of worker absenteeism is attributed to child care problems, and periods of reduced productivity and higher error and accident rates have been linked to parents worrying about children left unattended after school.
- H) Many states have widely varying licensing requirements specifying the maximum number of infants per care-giver, the amount of space required, and training requirements for teachers.

Trends:

- 1) The Bureau of Labor Statistics predicts that women will fill 60 percent of all new jobs created between now and the year 2000.
- 2) By 1995, two-thirds of all preschoolers, estimated at 15 million, and over three-fourths of all school-age children are projected to have mothers who work outside the home.
- 4) A high divorce rate and growing numbers of unmarried mothers mean more women have to support families on their own, increasing the demand for child care while they work.
- 5) Two years ago only 1,000 companies nationwide were providing some form of child care assistance. Now approximately 4,000 are, and the numbers are likely to continue increasing.
- 6) States are seeking ways to expand day care programs as a means of expanding employment opportunities and reducing welfare costs. Forty-eight states have passed 347 child care-related laws in the last four years. Ten states have passed legislation concerning the use of schools for child care.
- 7) Commercial child care facilities, once rare, are becoming commonplace in many areas.

Implications:

- a) According to Secretary of Labor Ann McLaughlin, as more women enter the work force, child care benefits "will fast become one of the front-burner issues of the decade."
- b) To contend with the labor shortage expected in the 1990s, companies will have to compete for experienced workers. The result could be incentives to improve benefits such as child care assistance. Surveys indicate that 1.7 million more mothers would work outside the home if they had adequate child care available.
- c) The need for child care workers is expected to increase 44 percent in the next four years.
- d) States' involvement in implementation, regulation, training programs for workers, and guidance for child care facilities and providers is likely to increase.

Federal Proposals:

"Act for Better Child Care," a \$2.5 billion proposal to help states subsidize child care for low- and moderate-income families, to increase the number of child care facilities and to staff and coordinate child care resources, is co-sponsored by one-third of the members of the House and Senate.

"Child Care Services Improvement Act" would provide about \$300 million a year to expand day care programs, give tax breaks to firms providing child care services for employees, and set up insurance pools to lower liability costs.

Senator Ted Kennedy of Massachusetts is the sponsor of a bill to offer states and local authorities federal matching grants to create all-day, year-round programs of education and day care for all 4-year-olds. The program, to benefit children and working parents, carries a \$4.25 billion price tag for the first five years.

Senator Dodd of Connecticut has introduced legislation to set up a model child care system within the public schools. The \$120 million proposal calls for the establishment of prototype projects in each state to provide on-site care for children ages 3 to 12.

Bibliography:

1. "Child Care: A Pivotal Issue for the '90s," John Maisbitt's Trend Letter, February 18, 1988.
2. "Child care exclusion signed," The Topeka Capital-Journal, April 15, 1988.
3. "Child Care for State Employees: A 50-State Survey," by Denise Flaim, State Legislative Report, Vol. 13, Number 4, February 1988.
4. "Child care issue has come of age," by Timothy J. McNulty, Chicago Tribune, February 14, 1988.
5. "Child Care to Be Pivotal Issue for States in 1990s," Governors Weekly Bulletin, National Governors' Association, January 29, 1988.
6. "Conflict heats up: Proposed day-care rules weigh quality, cost benefits," (AP) The (Fargo, North Dakota) Forum, February 8, 1988.
7. "Crisis pushes child care into federal spotlight," (AP) Lansing (Michigan) State Journal, February 22, 1988.
8. "Day Cares," USA Today, March 15, 1988.
9. "Day care being viewed as essential company benefit," by Jane Bryant Quinn, St. Paul Pioneer Press Dispatch, March 10, 1988.
10. "Day care hurt by low wages, high turnover," by Beth Gillin, St. Paul Pioneer Press Dispatch, April 13, 1988.
11. "Employers need to study child care issue," (AP) The (Fargo, North Dakota) Forum, March 1, 1988.
12. "Employers Offer Aid on Child Care," (AP) The New York Times, January 17, 1988.
13. "'KanWork' gets nod in Senate," by Martin Hawver, Topeka Capital-Journal, April 6, 1988.
14. "Kennedy Seeks Care Program for All 4-Year Olds," The New York Times, February 14, 1988.
15. "Kidding Aside: Parent Assistance Is Better Business," by Patricia M. Fernberg, Modern Office Technology, April 1988.
16. "'No Longer Simply a Family Issue,'" Governors Weekly Bulletin, National Governors' Association, January 29, 1988.
17. "One City's Plan to Better Child Care," by Katherine Bishop, The New York Times, April 7, 1988.
18. "School Child-Care Programs Stir Debate," by Cathy Trost, Wall Street Journal, April 8, 1988.
19. "Six Ways States Can Encourage Business to Help With Day Care," Governors Bulletin, National Governors' Association, April 19, 1985, pp. 2-3.
20. "States Are Providing Day Care For Own Workers," Governing, October 1987, p. 13.
21. "States Take the Lead in Providing Child Care Benefits," State Legislatures, September 1987, p. 6.

22. "10 percent of employers offer child-care benefits," (AP) St. Paul Pioneer Press Dispatch, January 15, 1988.
23. "The ABCs of Child-Care Politics," by Douglas J. Besharov, The Wall Street Journal, March 9, 1988.
24. "The Bottom Line on Kinder-Care" by Kenneth F. Englade, Across the Board, April 1988, pp. 44-53.
25. "The government toddles to day care," by Ellen Goodman, Chicago Tribune, March 27, 1988.

Women, Work and Child Care

The Need

In March, 1988, 65% of all women with children under 18 worked outside the home.

- In all, 21.5 million mothers were in the labor force; 73% worked full-time.

- Since 1980, the greatest increase in the rate of labor force participation has been for married women with preschool children. In 1988, 57% of mothers with children under 6 worked, and more than half (51%) of mothers of infants were at work before their babies were a year old.

- Nearly three-fourths (73%) of mothers with school-aged children 6 to 17 were in the labor force.

- Fewer than 10% of U.S. families consist of a father who goes to work and a mother who stays home with the children.

In 1988, 60% of all children had working mothers.

- More than 35 million children had mothers in the labor force.

By the year 2000, 80% of women in their prime childbearing years (between 25 and 44) will be in the labor force.

- 2 out of 3 preschoolers and 4 out of 5 school-aged children will have mothers in the labor force by 1995.

11.3 million children under 6 have working mothers.

- About 40% of these children are cared for by their fathers, grandparents or other relatives.

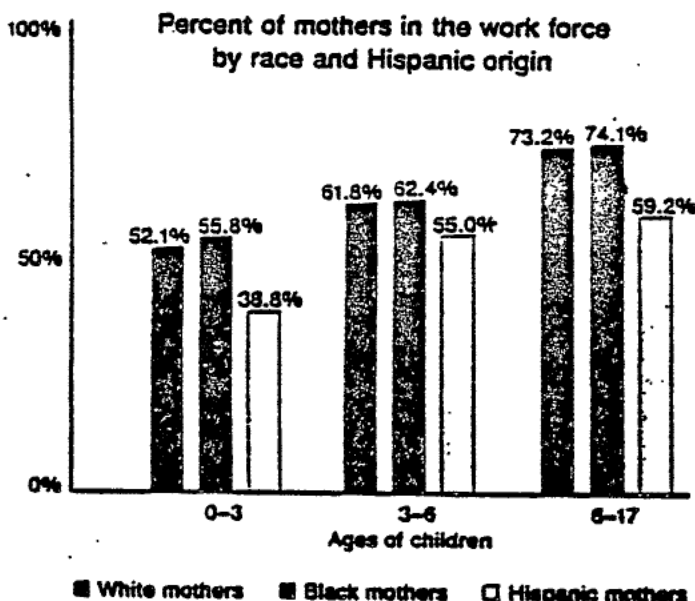
- 23% are in child care centers or school settings.

- 22% are cared for by nonrelatives in that person's home, a system known as family day care.

- 6% are cared for by a nonrelative in the child's own home.

- About 8% are cared for by their mothers at their place of work.

- 62% of women working part-time choose care by relatives, as opposed to 39% of those working full-time.



1 in every 4 mothers in the work force maintains her own family. More than 5.3 million single mothers are working.

- 58% of all working women are either single (never married), divorced, separated or widowed or have husbands who make less than \$15,000 a year.

- 35% more families would be below the poverty line if both parents did not work.

Sources for this Fact Sheet:

Bureau of Labor Statistics	Children's Foundation
The House Committee on Children, Youth and Families	Institute for Women's Policy Research
Children's Defense Fund	Child Care Employee Project
National Association for the Education of Young Children	National Women's Law Center
Census Bureau	Work/Family Directions
The Urban Institute	Women's Legal Defense Fund
Child Care Action Campaign	The Conference Board
Rumzheim International	

May 1989

Researched by Elizabeth Mercer

Women, Work and Child Care

The Providers

There are approximately 3 million people employed as child care providers in the U.S.; more than 96% are women.

- About 1.2 million work in more than 66,000 child care centers and preschool programs as directors, teachers and aides.
- Approximately 1.75 million work in their homes as family day care providers.
- There are about 190,000 licensed or regulated family day care homes. It is estimated that 3 times that number are unregulated.

Many providers working in child care centers do not receive benefits.

- Only one-third to one-half receive health insurance.
- About one-third are not paid for overtime.
- Many do not receive paid vacations.
- Fewer than 1 in 5 has a retirement plan.

Child care workers rank in the lowest 10% of U.S. wage earners.

- In 1988, the median salary for center-based providers was \$9,724 a year (based on weekly earnings). For those in family day care, it was about \$4,800. More than 40% of full-time child care workers earn less than \$5 an hour.
- Child care workers earn less than animal caretakers, parking lot attendants and garbage collectors.

Staff turnover rate in child care centers and day care homes is between 35-60% a year.

- Low wages are the primary cause of high turnover rates among child care workers.
- Lack of respect, difficult working conditions, low staff morale and employee burn out also contribute to high turnover among providers.

Training of providers is essential to high quality child care.

- The average child care provider has 14.6 years of education.
- More than half of providers have some college education.
- 40 states support the Child Development Associate (CDA) credential, a competency-based program to train center workers and family day care and infant care providers.

A PARENT'S GUIDE TO QUALITY CARE

The following are characteristics of high-quality child care programs:

- Children are relaxed, happy, and involved in activities.
- Ample space and play materials are available for the children.
- Children of varying ages are treated in a manner appropriate to their age.
- The staff meets regularly to plan and evaluate their program.
- Parents are welcome to observe, make suggestions, and participate in the work of the program.

- Staff are trained in child development as well as health and safety.

Optimal ratios and group sizes are:

Age of child	Optimal Ratio	Group Size
Infants	1:3	6-8 children
2-3 years	1:4 or 5	10-14
4-5 years	1:7-9	16-20

- 31 states do not regulate group size for preschoolers. In 12 states, 6 or more infants may be cared for by a single provider. Only 3 states meet experts' recommendation that no more than 3 infants be cared for by 1 person.

Women, Work and Child Care

Work and Family

Child care is a family's fourth largest expense, after housing, food and taxes.

- The annual cost of care for 1 child ranges between \$2,400 and \$9,000 in urban areas, with the average about \$3,400 per child. Costs for infant care are even higher.
- While the average working family spends about 10% of its yearly income on child care, low-income families spend nearly 25% of their incomes on care.
- In 1988, single working mothers, with median annual income of \$15,077, expended 23% of their income for average-priced care for 1 child.

For some mothers who want to work, the cost of child care precludes their joining the labor force.

- According to the General Accounting Office, a lack of affordable child care prevents 60% of mothers on AFDC from participating in education and training programs.

The hours before and after school and school vacations are a working parent's dilemma.

- Experts estimate that between 2 and 7 million children between the ages of 6 and 13 are without adult supervision for some part of the time their parents are at work.
- Older brothers and sisters are often responsible for their younger siblings.

About WOW: Wider Opportunities for Women (WOW) works nationally to achieve economic independence and equality of opportunity for women and girls. For 25 years, WOW has been at the forefront of women's employment issues. WOW leads a national network of more than 400 independent women's employment programs and advocates in 48 states. Each year, WOW's network serves more than a quarter of a million women seeking employment information, counseling, training and jobs.

The NCWW encourages broad distribution of this fact sheet. Those interested in reproducing it are simply required to inform our office. Production of this fact sheet was funded by a grant from the Ford Foundation.

Child care and parental leave initiatives have been introduced in Congress.

- Congress has considered child care legislation which would increase the supply, subsidize the cost and improve the quality of child care for low- and moderate-income families, as well as provide training for providers.
- Family and medical leave initiatives would provide unpaid, job-protected leave for mothers and fathers to care for new-born, newly adopted or ill children or adult dependents.

About 60% of all working women have no paid parental leave.

- Paid parental leave is usually linked to disability insurance. The Pregnancy Disability Act of 1978 prohibits discrimination because of pregnancy. It requires insured wage compensation for the period (usually 6 to 8 weeks) a woman cannot work, if her employer provides other kinds of short-term disability coverage.
- It is estimated that fewer than 40% of working women are covered by disability insurance.
- Only 33% of employees of mid- and large-size companies have benefits which include unpaid maternity or parental leave.
- Women who are not covered by any policy often must use a combination of sick days, vacation days or leave without pay during this period.

About the Commission: The National Commission on Working Women was created to focus on the needs and concerns of the approximately 80% of women in the work force who are concentrated in low-paying, low-status jobs in service industries, clerical occupations, retail stores, factories and plants. In January, 1987, NCWW merged with Wider Opportunities for Women, Inc.

Women, Work and Child Care

National Outlook: Who Supports Child Care?

The United States has no comprehensive child care policy. Federal and state governments, employers and labor unions offer some assistance to providers and parents.

The Dependent Care Tax Credit is the largest source of government support for child care. The benefit totalled \$3.4 billion in FY 1988.

* Under this law, parents of children under age 13 may claim up to \$2,400 for the cost of care for 1 child and \$4,800 for 2 or more children. Depending on income, tax credits range between \$480 and \$720 for 1 child and \$960 and \$1,440 for 2 or more children. Low-income families, especially those below taxable income, receive little or no benefit from the credit.

Between 1977 and 1986, direct federal outlays for child care programs, which benefited mainly poor and low-income families, declined nearly 25%.

Major federal programs which provide support for child care include:

- **Social Services Block Grant/Title XX** provides general funding to states for human services, including subsidized child care for low-income parents.
- **Head Start** provides funds to local organizations which offer comprehensive preschool education to low-income children. The majority of Head Start programs are half day. It currently serves 17% of eligible children.
- **Child Care Food Program** provides subsidies to centers and qualified family day care homes for meals and snacks.
- **The Family Support Act of 1988**, a welfare reform initiative, includes provisions for child care assistance to participants in education, employment and training programs and transition assistance for the first year of employment.

In 1988, out of approximately 6 million companies in the U.S., only 4,150 provided child care assistance to their employees.

According to the Conference Board, employers provided a variety of benefits for their employees:

- **On-site care.** Employer operates or provides care in or near the workplace.
- **Subsidies or vouchers.** Employers provide their staff subsidies or vouchers which they may redeem at a center or at the caregiver of their choice.
- **Discounts.** Employer arranges discounts for employees at selected child care programs.
- **Flexible benefits ("cafeteria plan").** Employee selects child care among other benefits.
- **Spending accounts (salary reduction).** Employee takes reduction in income and pays for child care out of a nontaxable account.
- **Information and referral service.** Employers devise an in-house information and referral system or contract with an outside company to provide one.
- **Establishing family day care homes.** Company recruits and pays for training and licensing of a caregiver who provides care for employees' children.
- **Sick child care.** Employer provides care for sick children through in-home nursing services or sick child care centers.
- **Alternative work patterns.** Employer policies include: flex-time, job sharing, family leave and parental sick leave.

Parental leave and child care have become important organizing tools and bargaining issues for labor unions.

- The Bureau of National Affairs reports that 40% of manufacturing and 30% of nonmanufacturing agreements include parental leave provisions. Unions have also established child care programs including information and referral networks, flex-time and alternative work schedules, and on-site centers.

TABLE 2. State Licensing Policies Towards Child Care Centers by Type of Operator

	Type of Child Care Program		
	Programs Operated by Public Schools	Programs Operated By Religious Institutions	Programs Operated in Adult Recreation Facilities a/
Alabama	Exempt	Exempt b/	Exempt
Alaska	Exempt	Partial c/	Partial
Arizona	Exempt	Licensed	Partial
Arkansas	Licensed	Licensed	Exempt
California	Licensed	Licensed	Partial
Colorado	Partial	Licensed	Partial
Connecticut	Exempt	Licensed	Exempt
Delaware	Exempt	Licensed	Exempt
District of Col.	Other	Licensed	Other
Florida	Exempt	Exempt	Exempt
Georgia	Exempt	Licensed	Partial
Hawaii	Other	Licensed	Partial
Idaho	Licensed	Licensed	Partial
Illinois	Partial	Partial c/	Partial
Indiana	Exempt	Partial d/	Exempt
Iowa	Exempt	Licensed	Exempt
Kansas	Licensed	Licensed	Exempt
Kentucky	Partial	Licensed	Partial
Louisiana	Exempt	Licensed	Exempt
Maine	Licensed	Licensed	Partial
Maryland	Licensed	Partial d/	Other
Massachusetts	Exempt	Licensed	Partial
Michigan	Licensed	Licensed	Partial
Minnesota	Partial	Licensed	Exempt
Mississippi	Licensed	Licensed	Exempt
Missouri	Exempt	Exempt	Exempt
Montana	Licensed	Licensed	Exempt
Nebraska	Licensed	Licensed	Exempt
Nevada	Other	Licensed	Partial
New Hampshire	Exempt	Licensed	Exempt
New Jersey	Exempt	Partial c/	Partial
New Mexico	Exempt	Licensed e/	Partial
New York	Exempt	Licensed	Partial
North Carolina	Exempt	Partial d/	Exempt
North Dakota	Licensed	Licensed	Exempt
Ohio	Other f/	Licensed	Partial
Oklahoma	Exempt	Licensed	Exempt
Oregon	Exempt	Licensed	Exempt
Pennsylvania	Licensed	Licensed g/	Exempt
Rhode Island	Licensed	Licensed	Partial
South Carolina	Partial	Partial d/	Exempt
South Dakota	Licensed	Licensed	Exempt
Tennessee	Other	Other h/	Exempt
Texas	Exempt	Licensed	Exempt

- e/ New Mexico requires all religious-operated child care programs to meet licensing requirements but does not issue them a license.
- f/ Ohio exempts programs operated by public schools that serve only school-age children, and requires those that serve younger children to be regulated by the Department of Education.
- g/ Pennsylvania has a statute requiring religious-based programs to have a certificate of compliance, which can be obtained either through licensing or through an approval process -- in either case, the facility must meet the same requirements and are inspected annually.
- h/ Tennessee requires religious-based programs to be licensed unless they are operated as schools, in which case they must be regulated by the Department of Education.
- i/ Vermont is in the process of developing regulations for the regulation of facilities in spas and bowling alleys.

Utah	Exempt	Partial	c/	Partial
Vermont	Licensed	Licensed		Partial i/
Virginia	Exempt	Partial	d/	Partial
Washington	Exempt	Licensed		Exempt
West Virginia	Licensed	Licensed		Exempt
Wisconsin	Licensed	Partial	c/	Exempt
Wyoming	Exempt	Licensed		Exempt

Totals:

# Exempt =	24	3	28
# Partial =	5	10	21
# Other =	5	1	2
# Licensed =	17	37	0

Definition of terms:

LICENSED: must meet all licensing requirements, although not necessarily issued a license.

PARTIAL: are partially exempt -- which means they either are only required to meet some requirements, or some programs are exempt.

EXEMPT: are exempt from state licensing requirements.

OTHER: either none of the above, are regulated by another agency, or not answered.

SOURCE: Children's Defense Fund. Data accurate as of April 1, 1990.

- a/ Many of the states who exempt some of these programs from licensing do so only if the parents are somewhere nearby or if the program is only for short periods of time. However, often the terms used -- such as "premises," "accessible," or "close proximity,"-- are not clearly defined.
- b/ Alabama allows religious-based programs to be exempt or licensed; Florida and Missouri allow all religious-based programs to be exempt.
- c/ States which exempt some types of religious-based programs: Alaska allows facilities claiming to be primarily educational to be exempt as well as those that do not receive any public funds (although these programs must meet fire and safety standards); Illinois exempts those that only serve children age 3 and older; New Jersey requires religious-based centers to be licensed, unless they were operating before 1984 with exempt status, in which case they must meet licensing life-safety requirements; Utah exempts religious-based programs if they are authorized by church leadership or provide religious doctrine; and in Wisconsin, religious-based programs are exempt if they operate their program as a private school.
- d/ States which allow religious-based programs to be exempt from some requirements: in Indiana, religious-based programs must meet health and safety requirements and fire regulations; in Maryland, religious-based programs that are considered "nursery schools" or "school-age child care" can be exempt from curriculum and teacher qualification requirements; in North Carolina, religious-based programs are exempt from obtaining licenses and from staff and curricular requirements, but must meet all other requirements; in South Carolina, such programs are required to be registered but not licensed; and in Virginia, religious-based programs are exempt from licensure but must submit documentary evidence as detailed in the state code.

TABLE 3. Selected State Health and Safety Standards

	Immunizations for family day care homes a/ -----	Hib vaccine required for centers b/ -----	Energy- absorbing surfaces beneath climbing surfaces for centers -----	Periodic fire drills for family day care homes c/ -----
Alabama	Yes	Yes	Yes	No
Alaska	No	No	No	Yes
Arizona	Yes	Yes	Yes	Yes
Arkansas	Yes	No **	No	Yes
California	No d/	No	Yes	No e/
Colorado	Yes	No	No	No
Connecticut	No	No	No	No
Delaware	Yes	Yes	Yes	Yes
District of Col.	Yes	Yes	No	Yes
Florida	Yes	Yes	Yes	Yes
Georgia	Yes	Yes	Yes	No
Hawaii	Yes	No	Yes	Yes
Idaho	No	No	No	No
Illinois	Yes	No	Yes	Yes
Indiana	No	No	No	No
Iowa	No	No	No	Yes
Kansas	Yes	No	Yes	Yes
Kentucky	Yes	No	No	Yes
Louisiana	No *	Yes	Yes	No *
Maine	No	Yes	Yes f/	No
Maryland	Yes g/	No	No	No h/
Massachusetts	Yes	Yes i/	Yes	Yes
Michigan	Yes	No	No	Yes
Minnesota	Yes	No	No	Yes
Mississippi	No *	No	Yes	No *
Missouri	Yes	No	Yes	Yes
Montana	Yes	Yes	No	No
Nebraska	Yes	DK	Yes	Yes
Nevada	Yes	No **	Yes	Yes
New Hampshire	Yes	Yes	Yes	Yes
New Jersey	Yes	Yes	No	No
New Mexico	Yes	No	Yes	No
New York	Yes	Yes	No	Yes
North Carolina	No	No	No	Yes
North Dakota	Yes	DK	No	No
Ohio	Yes	Yes	Yes	Yes
Oklahoma	Yes	No	Yes	No
Oregon	No	No	No	Yes
Pennsylvania	Yes	Yes	Yes	No
Rhode Island	Yes	No	No	Yes
South Carolina	No	No	No	No
South Dakota	Yes	No	No	Yes
Tennessee	Yes	Yes	Yes	Yes

Texas	Yes	No	Yes	No
Utah	Yes	No	No	No
Vermont	No	No	Yes	No
Virginia	Yes	No	Yes	No
Washington	Yes	DK	Yes	Yes
West Virginia	Yes	Yes	DK	Yes
Wisconsin	Yes	No	No	Yes
Wyoming	Yes	Yes	No	Yes

No =	13	30	24	22
Don't Know =	0	3	1	0

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SOURCE: Children's Defense Fund. Data accurate as of April 1, 1990.

No* denotes that the state did not answer the question because they responded that they did not regulate family day care homes.

No** Arkansas and Nevada are in the process of requiring the Hib vaccine -- Arkansas implemented the requirement in August 1990.

- a/ Basic immunizations defined as polio, measles, rubella, DPT, and mumps.
- b/ Hib vaccine required for children ages 18 months and older.
- c/ Periodic defined as at least once per year.
- d/ California notes that the Health Department regulations are sometimes not consistent.
- e/ California only requires fire drills for large family day care homes.
- f/ Requirement is considered to be in rule addressing safe outside equipment.
- g/ Maryland responded yes to all immunizations except for mumps.
- h/ Maryland requires periodic fire drills under the fire code.
- i/ Massachusetts requires Hib vaccine for children ages 18-33 months.

TABLE 4. State Regulations Regarding Parental Access to Child Care Programs

	Child care centers -----	Family day care homes -----
Alabama	Unqualified	Unqualified
Alaska	Unqualified	Unqualified
Arizona	Unqualified	Not Addressed
Arkansas	Not Addressed	Not Addressed
California	Unqualified a/	Unqualified a/
Colorado	Limited	Unqualified
Connecticut	Unqualified	Limited
Delaware	Unqualified	Unqualified b/
District of Col.	Not Addressed	Not Addressed
Florida	Unqualified	Not Addressed
Georgia	Unqualified	Not Addressed
Hawaii	Not Addressed **	Unqualified
Idaho	Unqualified c/	Unqualified c/
Illinois	Unqualified	Unqualified
Indiana	Unqualified	Not Addressed
Iowa	Unqualified	Not Addressed
Kansas	Unqualified	Unqualified
Kentucky	Unqualified	Unqualified
Louisiana	Not Addressed	Not Addressed
Maine	Unqualified	Not Addressed
Maryland	Not Addressed **	Not Addressed **
Massachusetts	Unqualified	Unqualified
Michigan	Unqualified	Unqualified
Minnesota	Unqualified	Not Addressed
Mississippi	Not Addressed **	Not Addressed
Missouri	Not Addressed	Not Addressed
Montana	Unqualified	Unqualified
Nebraska	Limited	Not Addressed
Nevada	Unqualified	Unqualified
New Hampshire	Not Addressed **	Not Addressed **
New Jersey	Unqualified	Not Addressed
New Mexico	Unqualified	Not Addressed
New York	Unqualified	Unqualified
North Carolina	Limited d/	Limited d/
North Dakota	Limited	Limited
Ohio	Unqualified	Unqualified
Oklahoma	Limited	Not Addressed
Oregon	Unqualified	Not Addressed
Pennsylvania ey/	Not Addressed	Not Addressed
Rhode Island	Unqualified c/	Unqualified c/
South Carolina	Not Addressed	Not Addressed
South Dakota	Unqualified	Unqualified
Tennessee	Unqualified	Not Addressed
Texas	Not Addressed	Not Addressed
Utah	Unqualified	Unqualified
Vermont	Unqualified	Unqualified
Virginia	Unqualified	Unqualified

Parental Access to Child Care Programs

Key Finding: Even though parents are among the most important monitors of the quality of their children's care, more than one-third of all states do not guarantee parents the unqualified right to visit their child care centers. More than half fail to ensure parental access to family day homes.

Because parents are often the first line of defense in identifying threats to health, safety, and quality in child care, parental access to child care programs is an essential safeguard for children in out-of-home care. Parental access also can encourage more parental involvement and helps to create continuity between a child's home and child care setting. Research shows that parental involvement and consistency between the child-rearing styles of the family and the caregiver promotes children's healthy development and well-being.

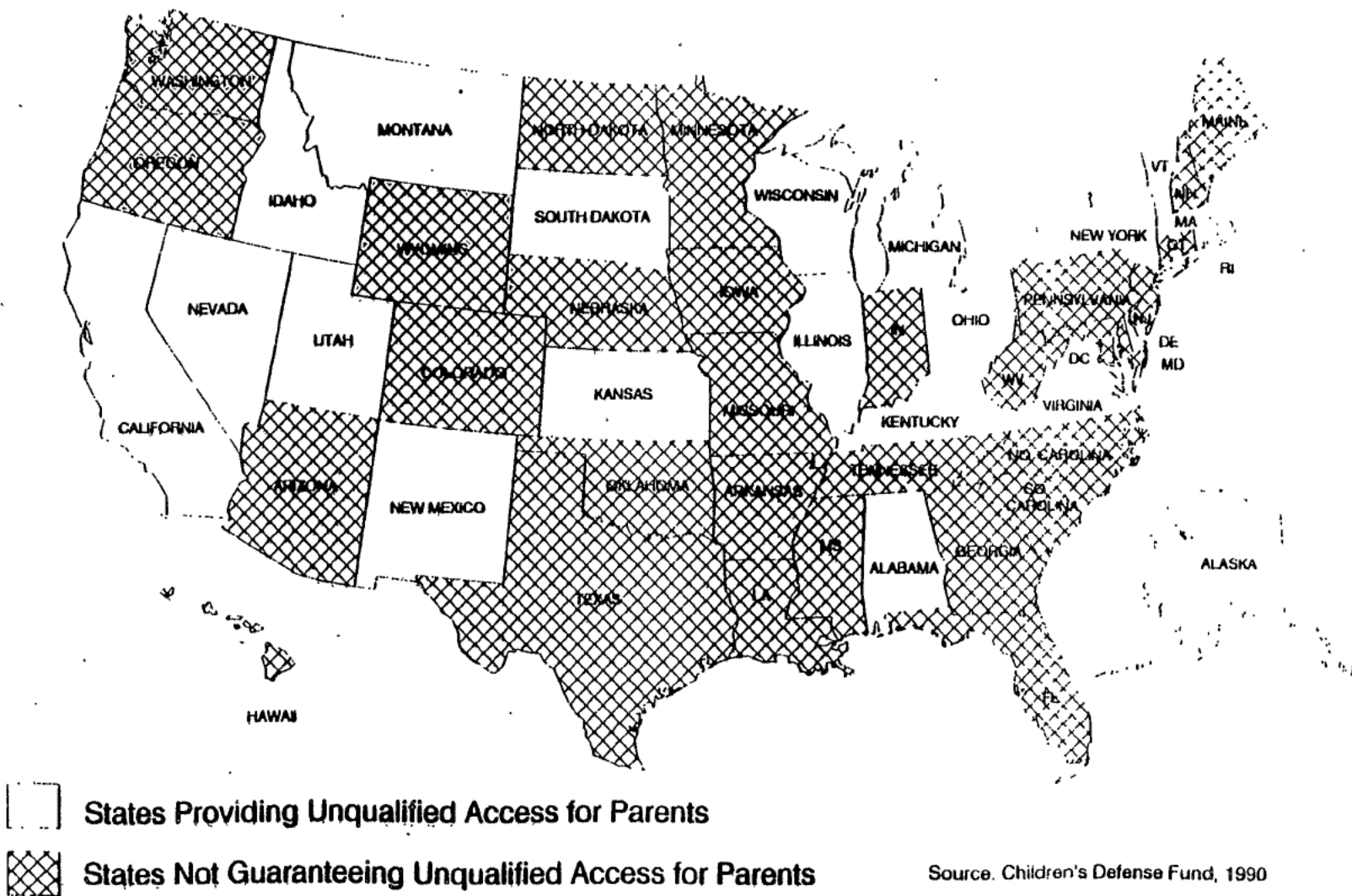
State policies that can maximize parental access and involvement include:

- o requiring providers to communicate with parents in person and in writing about program policies and the development of their child; and
- o encouraging providers to develop roles for parents within the classroom and provide opportunities for parents to develop and strengthen their parenting skills.

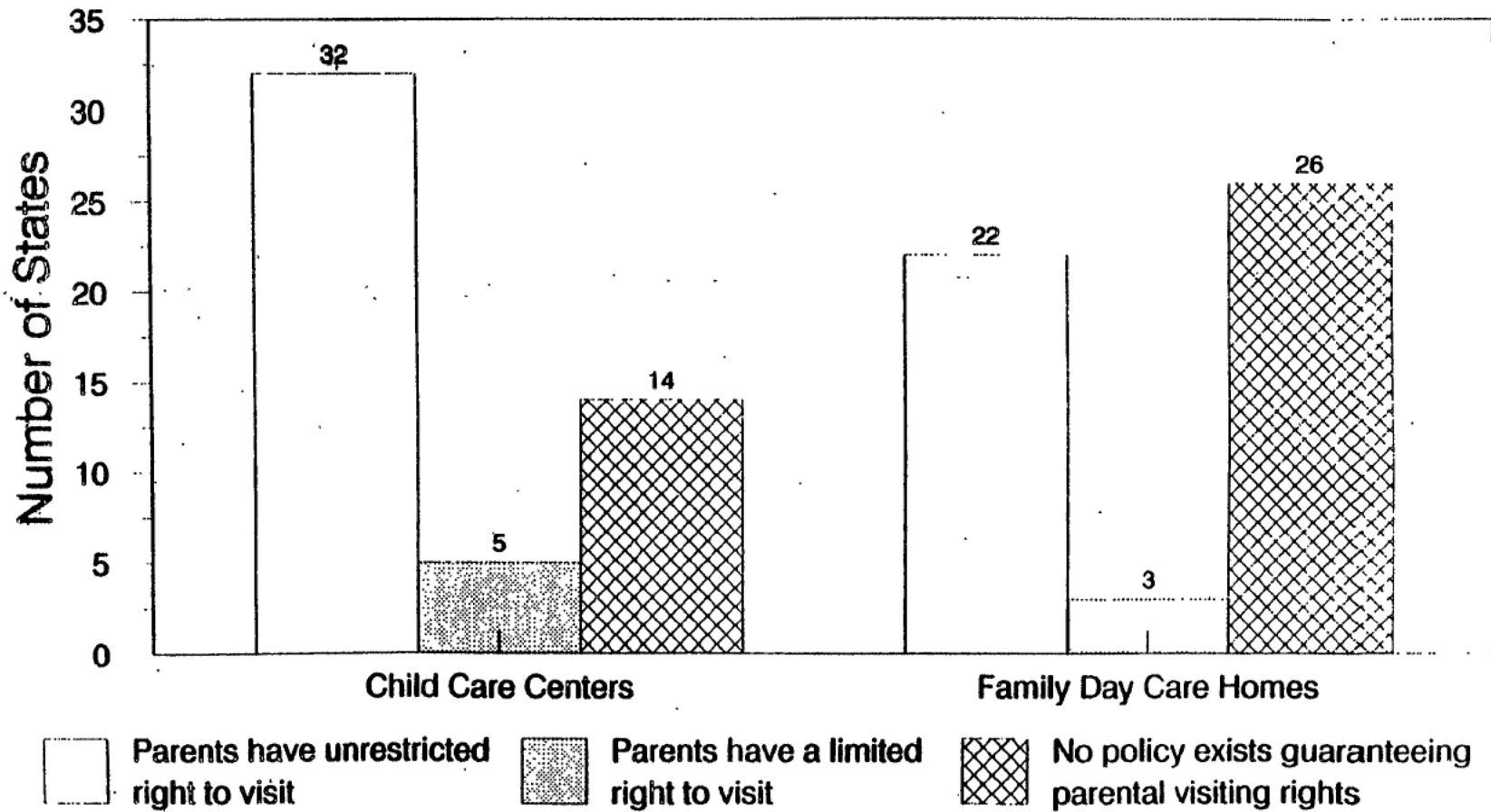
An additional policy, one of the easiest and least expensive ways for states to guarantee parental access and stimulate parental involvement, is to require regulated child care programs to give parents the unqualified right to visit without prior notice. Yet many states do not guarantee parents unrestricted visiting rights (Table 4):

- o Only two out of every five states give parents the unqualified right to visit child care centers and family day care homes.^{6/}
- o Nineteen states do not give parents the unqualified right to visit their child's child care center, and 29 states fail to ensure parental access to family day care homes.
- o Some of these states have parental access requirements, but place restrictions or limitations on the rights of parents--for example, by requiring that parents can only visit when it is convenient for the provider.

States Not Guaranteeing Unqualified Access for Parents to Both Child Care Centers and Family Day Care Homes



State Policies on Parents' Rights to Visit Child Care Centers and Family Day Care Homes



Source: Children's Defense Fund, 1990

PROPOSED LEGISLATION

L. R. No. 771-1

AN ACT

To repeal section 210.245, RSMo 1986, and sections 210.201, 210.211 and 210.221, RSMo Supp. 1990, relating to certain child care facilities, and to enact in lieu thereof nine new sections relating to the same subject, with penalty provisions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

Section A. Section 210.245, RSMo 1986, and sections 210.201, 210.211 and 210.221, RSMo Supp. 1990, are repealed and nine new sections enacted in lieu thereof, to be known as sections 192.322, 210.201, 210.211, 210.213, 210.221, 210.245, 210.251, 210.253, and 210.255, to read as follows:

192.322. 1. The department of health shall promulgate regulations with respect to child care facilities maintained or operated under the exclusive control of religious organizations as those terms are defined in sections 210.201, 210.211, and 210.251, RSMo, that are necessary to assure the prevention and control of infectious or contagious diseases, building and physical premises safety and minimum health and safety training appropriate to the facility setting.

2. Enforcement of the regulations promulgated under this section shall be pursuant to sections 210.251 and 210.255, RSMo.

3. Any regulation promulgated under this section may be suspended by the joint committee on administrative rules. No regulation promulgated under this section shall be effective

until it has been submitted to, actually considered by, and expressly approved by the joint committee. No regulations promulgated under this section shall be approved by the joint committee within the ninety-day period after the notice of proposed rulemaking has been published in the Missouri Register. In the event the joint committee suspends a proposed regulation, it shall notify the department of health, the division of family services, and the secretary of state. The secretary of state shall publish in the Missouri register as soon as practicable an order withdrawing the proposed regulation. The provisions of this section and subsection 2 of section 210.251, RSMo, are nonseverable and the grant of rulemaking authority is essentially dependent on the review power vested in the joint committee. If the review power is held unconstitutional or otherwise invalid, the grant of rulemaking authority shall also be invalid.

4. Nothing in this section shall be construed to authorize the department of health to interfere with the program, curriculum, ministry, teaching or instruction offered in a child care facility maintained or operated under the exclusive control of a religious organization, nor to interfere with the selection, qualifications, supervision, or terms of employment of its personnel, nor to interfere with the selection of children to enroll at the facility.

210.201. [Whenever occurring] As used in sections 210.201 to [210.245] 210.255 and sections 660.500 to 660.513, RSMo, [unless the context clearly requires otherwise,] the following terms mean:

(1) "Child", an individual who is under the age of seventeen;

(2) "Child care facility", a house or other place conducted or maintained by any person who advertises or holds himself out as providing care for more than four children during the daytime, for compensation or otherwise, except those operated by a school system or in connection with a business establishment as a convenience for its customers; [and]

(3) "Person", any person, firm, corporation, association, institution or other incorporated or unincorporated organization[.];

(4) "Religious organization", a church, synagogue or mosque which would qualify for federal tax exempt status as a nonprofit religious organization under section 501(c) of the Internal Revenue Code.

210.211. It shall be unlawful for any person to establish, maintain or operate a child care facility for children, or to advertise or hold himself out as being able to perform any of the services as defined in section 210.201, without having in [full force and] effect a written license therefor granted by the division of family services, [provided] except that nothing in sections 210.201 to 210.245 shall apply to:

(1) Any person who is related within the second degree by blood, marriage or adoption to the child involved and caring for no more than four other [nonrelated] children;

(2) Any person who has been duly appointed by a court of competent jurisdiction the guardian of the person of the child or

children, or the person who has legal custody of the child or children;

(3) Any person who receives free of charge, and not as a business, for periods not exceeding ninety consecutive days, as bona fide, occasional and personal guests the child or children of personal friends of such person, and who receives custody of no other unrelated child or children;

(4) Any graded boarding school, nursery school, summer camp, hospital, sanitarium or home which is conducted in good faith primarily to provide education, recreation, medical treatment, or nursing or convalescent care for children;

(5) Any [well-known religious order] nonprofit child care facility maintained or operated under the exclusive control of a religious organization. When a nonreligious organization, having as its principal purpose the provision of child care services, enters into an arrangement with a religious organization to provide continuing assistance in the maintenance or operation of a child care facility, the facility is not under the exclusive control of the religious organization;

(6) [Any institution or agency maintained or operated by the state, city or county; and

(7)] Any residential facility or day program licensed by the department of mental health under sections 630.705 to 630.760, RSMo, which provides care, treatment and habilitation exclusively to children who have a primary diagnosis of mental disorder, mental illness, mental retardation or developmental disability, as defined in section 630.005, RSMo.

210.213. Any parent or guardian of a child shall have access to any child care facility licensed or registered under the provisions of sections 210.201 to 210.255 or access to the providers of care in such facilities during normal hours of operation or when a child of such parent or guardian is in the care of such facility or provider.

210.221. 1. The division of family services shall have the following powers and duties:

(1) After investigation, to grant licenses to persons to [conduct the occupations defined herein] operate child care facilities if satisfied as to the good character and intent of the applicant and that such applicant is qualified and equipped to render care or service conducive to the welfare of children, and to renew the same when expired[, provided that]. No license shall be granted for a term exceeding two years. Each license shall specify the kind of child [welfare work the licensee is authorized to undertake] care services the licensee is authorized to perform, the number of children that can be received or maintained, and their ages and sex;

(2) To investigate the conditions of the homes and other places [defined herein] in which the applicant operates a child care facility, inspect their books and records, premises and [inmates] children being served, examine their officers and agents, and revoke the license of such persons as fail to obey the provisions of sections 210.201 to 210.245 or the rules and regulations made by the division of family services;

(3) To promulgate and issue uniform rules and regulations

as [said] the division deems necessary or proper in order to establish standards of service and care to be rendered by such licensees to children[; and]. No rule or regulation promulgated by the division shall in any manner restrict or interfere with any religious instruction, philosophies or ministries provided by the facility;

(4) To determine what records shall be kept by such persons and the form thereof, and the methods to be used in keeping such records, and to require reports to be made to [said] the division at regular intervals[.];

(5) To collect the license fee required pursuant to subsection 2 of this section.

2. Each child care facility licensed pursuant to sections 210.201 to 210.245 shall pay a license fee as established by the division, in order to help defray the expenses incurred by the division in the licensing and inspection of child care facilities. Such fee shall not exceed an amount equal to two dollars times the maximum number of children which may be cared for in the facility. All fees payable under the provisions of this section shall be collected by the division of family services and transferred to the director of revenue for deposit in the state treasury to the credit of the "Child Care Facility Licensing Fund", which is hereby created. The child care facility licensing fund shall be administered by the division of family services and, upon appropriation, such funds shall be used solely for licensing and investigation of child care facilities. The provisions of section 33.080, RSMo, to the contrary

notwithstanding, money in such fund shall not be transferred and placed to the credit of the general revenue fund.

210.245. 1. Any person who violates any provision of sections 210.201 to 210.245, or who for himself or for any other person makes materially false statements in order to obtain a license or the renewal thereof under sections 210.201 to 210.245, shall be guilty of a class A misdemeanor. In case such guilty person be a corporation, association, institution or society, the officers thereof who participate in such misdemeanor shall be subject to the penalties provided by law.

2. In addition to initiating proceedings under subsection 1 of this section, or in lieu thereof, the prosecuting attorney of the county where the child care facility is located may file suit for a preliminary and permanent order overseeing or preventing the operation of a child care facility for violating any provision of sections 210.201 to 210.245. The injunction shall remain in force until such a time as the court determines that the child care facility is in substantial compliance.

210.251. 1. Beginning August 28, 1992, if a child care facility maintained or operated under the exclusive control of a religious organization is not subject to a municipal or county fire code inspection requirement that is specific to child care facilities, then the facility shall annually obtain and pass an inspection for compliance with the current National Fire Codes. The inspection shall be completed by an individual certified by the state fire marshal as qualified to perform inspections under the National Fire Codes. The facility shall keep on file a copy

of the current inspection report for examination by parents or guardians of children in the facility and by law enforcement authorities.

2. If a child care facility maintained or operated under the exclusive control of a religious organization is not subject to a municipal or county inspection requirement pertaining to the prevention and control of infectious or contagious diseases, building and physical premises safety and minimum health and safety training appropriate to the facility setting, the facility shall annually obtain and pass an inspection for compliance with regulations promulgated pursuant to section 192.322, RSMo. The inspection shall be completed by an individual certified by the department of health to perform inspections under the regulations, by an employee of a municipal or county health agency or by an employee of the department of health. The facility shall keep on file a copy of the current inspection report for examination by parents and guardians of children in the facility and by law enforcement authorities.

3. A child care facility maintained or operated under the exclusive control of a religious organization shall maintain a standard ratio of staff to number of children enrolled of one staff member to four children under two years of age, one staff member to ten children two through four years of age and one staff member to sixteen children five years of age and older. Such facilities shall also afford parents unlimited access to their children and to the employees caring for their children during the normal hours of operation of the facility.

4. A child care facility maintained or operated under the exclusive control of a religious organization shall register with the division of family services, once each year during the month of August, stating that the facility intends to continue operating, the current address and telephone number of the facility, the names and positions of all administrators, the name, address and telephone number of the affiliated religious organization, and that:

(1) The facility has obtained and keeps on file a current copy of the fire inspection report required by subsection 1 of this section, and a current copy of the health and safety inspection report required by subsection 2 of this section; and

(2) The facility maintains the standard ratio of staff to number of children enrolled and provides the parental access required by subsection 3 of this section.

5. Any child care facility to be maintained or operated under the exclusive control of a religious organization which begins operation after August 28, 1991, shall register as required by subsection 4 of this section at least five days before starting to operate. Thereafter the facility shall register during the month of August.

6. If a child care facility maintained or operated under the exclusive control of a religious organization is suspected of violating any provision of subsection 1, 2 or 3 of this section, or if there is good cause to believe that the signatory made a materially false statement in the registration required by subsections 4 and 5 of this section, the division of family

services shall give twenty days' written notice to the facility concerning the nature of its suspected noncompliance. If compliance is not forthcoming within the twenty days, the division may thereafter notify the prosecuting attorney of the county wherein the facility is located or the attorney general concerning the suspected noncompliance.

7. The division of family services shall maintain a record of signed parental complaints against child care facilities registering under this section, and shall make such complaints available to the public upon request.

8. Nothing in this section shall be construed to authorize the division of family services to investigate, inspect or examine child care facilities maintained or operated under the exclusive control of a religious organization, nor to promulgate standards regulating such facilities or determining the validity of their exemption under subdivision (5) of section 210.211.

9. Nothing in this section shall be construed to authorize the division of family services or any other governmental agency or entity to interfere with the program, curriculum, ministry, teaching or instruction offered in a child care facility maintained or operated under the exclusive control of a religious organization, nor to interfere with the selection, qualifications, supervision, or terms of employment of its personnel, nor to interfere with the selection of children to enroll at the facility.

10. Nothing in this section shall be construed to prevent a child care facility maintained or operated under the exclusive

control of a religious organization from voluntarily obtaining a license pursuant to section 210.211.

11. For purposes of this section, a child care facility shall not include a private or parochial elementary, secondary or home school, a weekly Sunday or Sabbath school, a vacation bible school, or a child care facility made available while the parents or guardians are attending worship services or other meetings and activities conducted or sponsored by a religious organization.

210.253. 1. Any person who violates any provision of section 210.251, or who for himself or for any other person makes a materially false statement in the registration required by subsections 4 and 5 of section 210.251, shall be guilty of a class C misdemeanor. In case such guilty person is a corporation, association, institution, or society, the officers thereof who participate in such misdemeanor shall be subject to the penalties of a class C misdemeanor.

2. In addition to initiating proceedings under subsection 1 of this section, or in lieu thereof, the prosecuting attorney of the county where the child care facility is located may file suit for a preliminary and permanent order overseeing or preventing the operation of a child care facility for violating any provision of section 210.251 or section 210.255. The injunction shall remain in force until such a time as the court determines that the child care facility is in substantial compliance.

210.255. 1. Any parent or guardian who enrolls a child in a child care facility maintained or operated under the exclusive control of a religious organization shall receive written notice

from the operator of such facility stating that the facility is registered with the department of social services but is not a licensed facility.

2. Failure to provide the notice required by subsection 1 of this section is an infraction.